

## **MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
5930 NW 49<sup>TH</sup> STREET  
WARR ACRES, OKLAHOMA  
TUESDAY  
MARCH 2, 2004  
7:00 P.M.**

1. The meeting was called to order at 7:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Jeff Hayes, Warr Acres Explorer Scout and the Invocation was given by Michael Anderson, Warr Acres Police Chaplin.

### **ROLL CALL**

#### **PRESENT**

Mayor Marietta Tardibono  
Vice-Mayor Justin Frisbie  
Councilman Walter Johnson  
Councilman Jimmy Alexander  
Councilman Mike Gossman  
Councilman Bob Wehba  
Councilman Barry Curl  
Councilman Tom Smith  
Councilman Greg Hayes

#### **ABSENT**

### **DEPARTMENT HEADS AND CONSULTANTS PRESENT**

Pamela McDowell-Ramirez, City Clerk  
Roger Patty, Police Chief  
Rob Carter, Acting Fire Chief  
Scott Barrett, City Engineer  
Wiley Rice, City Planner  
Mike Turman, City Inspector  
Bob Jernigan, City Attorney

2. Questions and Comments from Warr Acres Residents.

Tommy Pike asked if the Kiwanis program could once again be placed on the television. He also asked if the Kiwanis could get some information into the brochures that the Economic Development Authority was putting together to send out to the residents. Vice-Mayor Frisbie stated that the brochure that they were working on was not for the residents it was to promote and entice businesses. Mr. Pike stated that a business brochure was fine, and asked if they could to get their

information in it. Vice-Mayor Frisbie stated that he would be glad to take the information.

3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4.

- A. Approval of Minutes – Regular City Council Meeting of February 3, 2004 and February 17, 2004. \*\*\*\*
- B. Approval of Expenditures –      General Fund                      \$71,972.07  
   Street & Alley                      \$ 1,074.87
- C. Approval of Proposed Expenditures for March 2004. \*\*\*\*
- D. Sales Tax History Report. \*\*\*\*
- E. Receive Planning Commission minutes for February 10, 2004. (Not yet approved by the Planning Commission) \*\*\*\*

Motion by Frisbie, second by Smith to approve the consent docket. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

4. Discussion and possible action on items removed from the consent docket.

**Moot.**

5. Receive reports from Staff: Police, Fire, City Clerk, City Inspector, Street, Sanitation, Sewer, City Engineer, City Planner.

Chief Carter-told the Council that Warr Acres and Bethany were in a contest to see who could get the most people to donate blood. He handed out flyers about the blood drive and items that people donating blood will receive and told about prizes that would be given away. He asked for all to donate.

Brad Seale-told the council that over the last few months they have been doing flow monitoring. He also told them that in reference to Wood Creek he had called Krapff-Reynolds to have them come out and video the lines. He stated that five taps had been done at Wood Creek and that the main had been broken two times. He was asked why he did not stop them and make them do it correctly. He said that it was done when no one was around. Bob Jernigan stated that if it was incorrect or damage was done to the city line the contractor would be required to fix it that is the purpose of having a bond. Mr. Seale stated that the video would give them the information they need.

Scott Barrett-stated that the stakes for 43<sup>rd</sup> street had been placed and ready to go. Bob Jernigan stated that the owners had met and agreed in principal. Councilman Smith stated that he understood that the north section of MacArthur plans were

not complete and the city had paid in full so the city needed to receive the completed plans.

Councilman Wehba asked Johnny Dickson to report on the 33<sup>rd</sup> and Hammond project. Mr. Dickson stated that the ditch had been dug the concrete was in and now they needed to lay sod.

6. Reports from Pay scale and Fee Committee chairmen.

Councilman Frisbie stated that the committee recommended no change to the pay scale at this time, only if a cost of living raise was given later then adjust the scale.

Councilman Gossman stated that the Fee committee had not had a chance to meet.

7. Discussion and possible action for approval to send two or three members of the Fire Department every other week or as scheduled until complete staff is trained to Aniston, Alabama for Fire training through a grant from Home Land Security at no charge. \*Chief Carter\*

Chief Carter stated that everything was included at no cost to the city. He stated that he will schedule around the staff that will be attending the school so to limit the overtime.

Motion by Frisbie, second by Smith to approve sending staff to Alabama for school. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

8. Discussion and possible action on where the money for the MacArthur Project will come from and what affect it will have on the city's finances. \*Wehba\* \*\*\*\*\*

Councilman Frisbie asked when the money would need to be paid. Councilman Curl asked if the full amount would need to be paid all at one time. Scott Barrett stated that all money needed to be paid at one time and would have to be paid **before the bids would be let and that should be around September.** Mr. Barrett also stated that in the past meeting the council had approved for Cinnabar to proceed with acquisition of parcels. He stated they have come to him and stated that they would be unable to do the work for the cost they had originally quoted the new cost would be \$13,250 for the 5 parcels. This will be on the next agenda for approval of additional funds. Mr. Barrett stated that Cinnabar could go ahead and proceed with four of the parcels and hold off on the fifth. Mayor Tardibono stated that she had gotten a verbal commitment from Commissioner Cornett for help on MacArthur from the County. Scott Barrett stated that the project would be over seen by ODOT. Any help from the county would have to

be in the form of money, they would not be able to help with the work.  
Councilman Curl stated that he felt the city would be able to do the project.

9. Discussion and possible action on approving additional funds of \$200 (from \$23,800 to \$24,000) for the Hammond resurface project as per Contract between Oklahoma County, Bethany and Warr Acres.

Motion by Wehba, second by Frisbie to approve the additional funds. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

10. Discussion and possible action on Supplemental Budget Amendments and Transfers. \*\*\*\*

Motion by Johnson, second by Frisbie to approve the additional funds. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

11. Discussion and possible action on a Traffic Commission recommendation to place additional school zone signs at 50<sup>th</sup> and Ann Arbor and at each of the exits onto 50<sup>th</sup>, for traffic leaving after school activities at night while the school zone is in effect.

Chief Patty stated that this was brought up because of complaints from persons that had received tickets after leaving football games and not knowing that the school zone was in affect. He stated that the city had asked the school to notify other schools that the zone would be active before, during and after games. There are presently no signs as you leave the parking lot and it is a long stretch between the signs on 50<sup>th</sup>. If approved signs would be placed at the exits and also at 50<sup>th</sup> and Ann Arbor.

Motion by Wehba, second by Johnson to approve the recommendation from the Traffic Commission. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

12. Questions and comments from Council members.

Councilman Hayes-said he has had many calls complaining about speeding on Grove after school. He asked if the Police would patrol the area for speed control.

Councilman Smith-said he had received complaints about Savannah Pointe Apartments and loud music at 3:00 a.m. He informed the council of items that were discussed at the last ACOG meeting. He also asked if the city could do something like Midwest City was doing for ambulance service. He stated that he had been working with Officer Feith on correcting the computer problems.

Councilman Curl-asked why the city was having all the computer problems if it was caused by the changes that Councilman Smith had made. Councilman Smith stated that it did not have anything to do with the changes. Councilman Curl also wanted to know when the council stopped approving signs they should all be approve by council. He stated that there are banners, signs of all types and sizes all over town. Mike Turman said that he would be working on the sign issue with the new Code Enforcement Officer.

Mayor Tardibono-stated that the Northwest Chamber would be holding a Candidate Forum at the Community Center at 11:15 am and again at 7:00 pm for all citizens. She read a letter from Sandy McPherson thanking the Animal Control Officer for his cooperation in listing pets for adoption with Pet Finders. The Salvation Army called to say what a great job Jesus DeLoera and his brother Ruben DeLoera did on the floor at the Community Center and also thanks to the city for the new ice machine. She also read a letter to the Police and Fire for the compassion they showed Betty Stevens in the recent passing of her mother and the care they took with her mother. These members of the Police department were Officer Wright, Reserve Officer Hale and Reserve Officer Looper and the Red Shift on the Fire department.

Bob Jernigan-said that he understood that 32% of the cigarette tax would come back to cities.

Councilman Gossman-said that Darryl Goodman was doing a super job. Also the street department had done a great job down on 33<sup>rd</sup> and Hammond.

13. New Business ("New Business" is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a ("surprise nature")).

**None.**

14. Discussion and possible action concerning Windtree litigation, including discussion and possible action on entering into executive session as allowed under 25 O.S. Supp. 307 (B) (4), confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceedings in the public interest.

15. Discussion and possible action on contract and negotiations with I.A.F.F. Local #2374 and FOP Lodge #145 and the City of Warr Acres, including discussion and possible action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (2), Discussing negotiations concerning employees and representatives of employee groups.

Bob Jernigan recommended entering into executive session for item 14.

Motion by Wehba, second by Smith to enter into executive session with Tony Puckett to stay for item 15. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

After a 10 minute recess the council entered into executive session at 8:44 p.m.

Council returned to open session at 9:45 p.m. **WITH NO ACTION TAKEN.**

16. Adjournment.

Motion by Wehba, second by Smith to adjourn. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk

## **MINUTES**

CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
5930 NW 49<sup>TH</sup> STREET  
WARR ACRES, OKLAHOMA  
TUESDAY  
MARCH 2, 2004  
7:00 p.m.

1. The meeting was called to order at 9:45 p.m.

### **ROLL CALL**

#### **PRESENT**

Chairperson Marietta Tardibono  
Vice-Chairman Justin Frisbie  
Trustee Walter Johnson  
Trustee Jimmy Alexander  
Trustee Mike Gossman  
Trustee Bob Wehba  
Trustee Barry Curl  
Trustee Tom Smith  
Trustee Greg Hayes

#### **ABSENT**

2. Approve the minutes of the Regular Warr Acres Public Works Authority Meeting of February 3, 2004.

Motion by Wehba, second by Gossman to approve the minutes. Poll vote: Alexander, yea; Johnson, abstain; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

#### **Motion Passed.**

3. Approve payment of claim in the amount of \$58,009.97 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of March, 2004.

Trustee Curl asked when the loan would be paid off. The Clerk stated that she would find out and let him know at the next meeting.

Motion by Wehba, second by Frisbie to approve the payment of the claim. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

#### **Motion Passed Unanimously.**

4. Adjournment.

Motion by Frisbie, second by Curl to adjourn. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 9:47 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk



## **MINUTES**

**MEETING OF THE TRUSTEES OF THE WARR ACRES  
ECONOMIC DEVELOPMENT AUTHORITY  
5930 NW 49<sup>TH</sup> STREET  
WARR ACRES, OKLAHOMA  
TUESDAY  
MARCH 2, 2004  
7:00 p.m.**

1. The meeting was called to order at 9:47 p.m.

### **ROLL CALL**

#### **PRESENT**

#### **ABSENT**

Chairperson Marietta Tardibono  
Vice-Chairman Justin Frisbie  
Trustee Walter Johnson  
Trustee Jimmy Alexander  
Trustee Mike Gossman  
Trustee Bob Wehba  
Trustee Barry Curl  
Trustee Tom Smith  
Trustee Greg Hayes

2. Approval of Minutes of the Meeting of Economic Development Authority Meeting of February 3, 2004.

Motion by Smith, second by Hayes to approve the minutes. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

#### **Motion Passed Unanimously.**

3. Report on new brochures. \*Frisbie\*

Trustee Frisbie said that he and the Mayor had met with the Greater Oklahoma City Chamber and their representative showed them the web site where the city can obtain valuable information to be used in the brochure. The brochure will be in color and have a pocket inside to place information.

4. Discussion and possible action on setting policies towards businesses and possibly entering into Executive Session as allowed under 25 O.S. Supp 307 (10), All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces, or study group supported in whole or part by public funds, or entrusted with the expenditure of

public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.

Motion by Wehba, second by Gossman to enter into executive session with Mr. Huckins allowed in when the trustees are ready. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

The trust entered into executive session 9:52 p.m.

Trustee Hayes stepped out at 10:37 p.m. and returned at 10:39 p.m.

The trust returned open session 10:58 p.m. **WITH NO ACTION TAKEN.**

5. Adjournment.

Motion by Curl, second by Alexander to adjourn. Poll vote: Alexander, yea; Johnson, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Smith, yea; Hayes, yea; and Tardibono, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 10:59 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk